

DRAFT

**ENVIRONMENTAL PERMIT REVIEW COMMISSION (EPRC)
CONTESTED CASE REVIEW PANEL
MINUTES**

Monday, September 30, 2019, 9:00 a.m.

Michigan Department of Environment, Great Lakes, and Energy
Ottawa Building, Upper Level, Conference Room #2
611 W. Allegan, Lansing, Michigan

RE: In the Matter of The Petitions of Tom Boerner and the Menominee Indian Tribe of Wisconsin on the permit issued to Aquila Resources Inc. (consolidated case), File #17-005710

Call to Order – Matthew Germane, Panel Chairperson, called the meeting to order at 9:05 a.m. and discussed the need to replace Dennis Bittner with Lori Myott.

Roll Call

Members Present: Matthew Germane – Chairperson
Lori Myott
Bradley Venman

Staff Present: Amy Epkey, Senior Deputy Director, EGLE
David Fiedler, Regulatory Affairs Officer, EGLE
Brad Pagratis, Information Management Division, EGLE
Julie McMurtry, Interim Executive Director - MOAHR
Susan Maul, Administrative Law Specialist, MOAHR
Wendy Wisniewski, State Assistant Administrator, MOAHR

Approval of Agenda

The Chair asked if there were any additions to the agenda. Bradley Venman suggested an addition to discuss the process for issuing a final report. It was agreed to add this as Item 4a.

MOTION by Venman, seconded by Myott to adopt agenda with additional item.

Yeas: Germane, Myott, Venman
Nays: None

Approval of Minutes from June 25, 2019 Meeting

The three members stated that they had reviewed the minutes of the June 25, 2019 meeting and had no changes.

MOTION by Venman, seconded by Myott, to adopt the minutes without changes.

Yeas: Germane, Myott, Venman

Nays: None

MOTION PREVAILED

Review and Discussion of File #17-005710

The panel began discussion of the file and the Petition for Review of a Final Decision of a Contested Case. The panel allowed each participant 15 minutes to discuss their briefs and specific issues they wanted the panel to focus on. The panel asked follow up questions of the parties.

Public Comments

Dale Stange Offered public comments on a personal matter that he has with EGLE and looking for suggestions on any avenue he could try.

Next Meeting

The panel discussed the next meeting and agreed on November 12th at 1:00 p.m.

MOTION by Venman, seconded by Myott, to meet on November 12th at 1:00 p.m.

Yeas: Germane, Myott, Venman

Nays: None

MOTION PREVAILED

Adjournment

MOTION by Venman, seconded by Myott, to adjourn the meeting.

Yeas: Germane, Myott, Venman

Nays: None

MOTION PREVAILED

Minutes approved by the Panel on _____

Prepared by:
Wendy Wisniewski, Panel Support
Michigan Office of Administrative Hearings and Rules

October 8, 2019